

# **EXHIBIT 2**

**FILED UNDER SEAL**

FROM U. S. ATTY OFC

(MON) 3.27.06 10:31/E 0:31/NO. 4864613759 P 2



U.S. Department of Justice

United States Attorney  
Eastern District of Virginia

2100 Johnston Avenue  
Alexandria, Virginia 22314

(703)295-3700

March 27, 2006

Via Telefax to (202) 223-2085

Nancy Luque, Esq.  
Piper Rudnick Gray Cary  
1200 Nineteenth Street, N.W.  
Washington, D.C. 20036-2412

Re: Grand Jury Subpoenas for.

Dear Ms. Luque:

I have received your letter of March 16, 2006, in which you state that your clients will not produce documents responsive to the grand jury subpoenas until the government advises you whether your clients were or still are the subject of electronic surveillance under Title III, FISA, an NSA program, or any other yet to be disclosed program.

Your clients,

\_\_\_\_\_ were not and are not a subject of electronic surveillance pursuant to Title III of the Omnibus Crime Control and Safe Streets Act of 1968, 18 U.S.C. §§ 2510-2522. That being said, they are not entitled to notification of any other type of surveillance before responding to the subpoenas. Moreover, even assuming that they were the subject of some other type of surveillance, they could not contest the legality of such surveillance at the grand jury stage.

Sincerely,

Chuck Rosenberg  
United States Attorney

By:

  
Steven Ward  
Special Assistant U.S. Attorney